

1 **REMARKS**

2 The Applicant respectfully requests reconsideration and allowance of claims 1 through 22
3 in view of the above amendments and the following arguments.

4
5 I. THE AMENDMENTS

6 Claims 11, 12, 14, and 15 are amended above to address certain antecedent basis issues.
7 These amendments do not in any way change the scope of the respective claims. Claim 6 is
8 amended above to require that the step of connecting the upper and lower receivers encloses the
9 module housing in the firearm.

10
11 II. CLAIMS 1-13 ARE NOT ANTICIPATED BY THE REMINGTON REFERENCE

12 The Office Action rejected claims 1 through 13 under 35 U.S.C. §102(b) as being
13 anticipated by the Remington Owner's Manual (the "Remington reference") which was cited by
14 the Applicant in an IDS having a filing date of July 6, 2004. The Applicant respectfully traverses
15 these rejections as to claims 1 and 9 and their respective dependent claims and respectfully
16 submits that claim 6 and its dependent claims are allowable in view of the above amendment.

17 Claims 1 through 5

18 Claim 1 is directed to a method of installing a trigger group in a firearm and includes the
19 following steps:

- 20 (a) assembling a number of trigger group components in a trigger group module;
21 (b) separating an upper receiver from the firearm to expose a trigger group receiving
22 opening in a lower receiver of the firearm;
23 (c) inserting the trigger group module into the lower receiver through the trigger
24 group receiving opening; and
25 (d) reconnecting the upper receiver to the lower receiver.

1 In rejecting claim 1 in view of the Remington reference, the Office Action refers to item 75 in the
2 reference as an upper receiver and to item 47 in the reference as a lower receiver. This must be a
3 reference to the Model 1100 drawings since there is no item 47 in the Model 11-87 drawings of
4 the Remington reference.

5 It is noted that item 47 in the Remington reference is to the "fore-end assembly" of the
6 shotgun which comprises the component that covers the magazine tube and extends forward of
7 the receiver 75 when the shotgun is assembled. Item 47 is not a receiver having a trigger group
8 receiving opening that is exposed by separation from receiver 75. Thus, the Remington reference
9 does not teach or suggest element (b) of claim 1, "separating an upper receiver from the firearm
10 to expose a trigger group receiving opening in a lower receiver of the firearm." The Applicant
11 further notes that the trigger assembly in the Model 1100 shotgun (trigger plate 88 and the
12 components carried thereon) is inserted through a bottom opening in the receiver 75 regardless of
13 whether the fore-end assembly is installed or otherwise. The trigger plate 88 is not inserted into
14 the component that the Office Action defines as the lower receiver, the fore-end assembly 47.
15 Thus, the Remington reference also does not teach or suggest the limitation required at element
16 (c) of claim 1, namely, "inserting the trigger group module into the lower receiver through the
17 trigger group receiving opening."

18 For these reasons the Applicant respectfully submits that the Remington reference does
19 not teach or even suggest each and every element required in Applicant's claim 1, and that claim
20 1 is therefore entitled to allowance together with its dependent claims, claims 2 through 5.

21 Claims 6 through 8

22 Claim 6 is directed to a method of assembling a firearm having a frame made up of an
23 upper receiver and a lower receiver. The method includes,

- (a) assembling a number of trigger group components in a module housing to produce a pre-assembled trigger group module;
- (b) placing the pre-assembled trigger group module in an operating position in the lower receiver; and
- (c) securing the upper receiver to the lower receiver to enclose the module housing in the firearm.

As mentioned above, the trigger plate 88 in the Remington reference is not placed in the component described in the Office Action as a lower receiver, that is, fore-end assembly 47. Thus, the Remington reference does not teach element (b) of claim 1. Also, no part of trigger plate 88 is enclosed in the fore-end assembly, or any other part of the shotgun by securing the receiver 75 to the fore-end assembly 47. Thus, the Remington reference also does not teach the limitation at element (c) of claim 6.

For these reasons the Applicant respectfully submits that the Remington reference does not teach or even suggest each and every element required in Applicant's claim 6, and that claim 6 is therefore entitled to allowance together with its dependent claims, claims 7 and 8.

Claims 9 through 13

Claim 9 is directed to a method of installing a trigger group in a firearm and includes the following steps:

- (a) removing a first OEM trigger group pin to release a first OEM trigger group component with respect to the firearm and with respect to a second trigger group component;
- (b) removing a second OEM trigger group pin to release the second trigger group component with respect to the firearm;
- (c) inserting a trigger group module to an operating position in the firearm, the trigger group module including a trigger group housing and a number of replacement trigger group components; and
- (d) securing the trigger group module in the operating position through pin receptacle openings that supported either the first OEM trigger group pin or the second OEM trigger group pin.

1 With specific reference to Model 1100 of the Remington reference, a number of trigger
2 group components, notably hammer 52 and trigger 86 are mounted on trigger plate 88. Trigger
3 plate 88 is inserted into an opening in the bottom of receiver 75 and secured in place with pins 92
4 and 98, which extend through bushings 32 and 89, respectively. Importantly with respect to the
5 method required in Applicant's claim 9, no trigger group components are secured on trigger plate
6 88 with pins 92 and 98. Rather, pins 92 and 98 serve to secure trigger plate 88 to receiver 75,
7 and pin 92 also functions to secure carrier 21 in position in the shotgun. Carrier 21 guides shells
8 from the magazine tube up into position to be loaded into the breech of the shotgun and is not a
9 trigger group component. It is further noted that the pins that secure trigger group components to
10 trigger plate 88, namely trigger pin 87, hammer pin 53, and sear pin 81, are all inaccessible when
11 the trigger plate 88 is installed in the shotgun with pins 92 and 98, and thus, cannot be removed
12 with the trigger plate 88 installed in the shotgun. The structure for the Model 11-87 shotgun
13 shown in the Remington reference is similar to the Model 1100 with respect to the trigger
14 components, but uses different numbering for the parts.

15 In this light regarding the Remington reference, it is simply not possible to remove a first
16 OEM trigger group pin to release a first OEM trigger group component with respect to the
17 firearm and with respect to a second trigger group component as required by element (a) of
18 claim 9. There is no pin shown in the Remington reference that may be removed to both release
19 a trigger group component with respect to the firearm and with respect to another trigger group
20 component. The only pins that may be removed to release one trigger group component with
21 respect to another (trigger group component pins 87, 53, 81) are accessible only after the trigger
22 plate 88 is already removed from the firearm. Thus, the Remington reference can only suggest
23 first removing pins 92 and 98 to remove the trigger plate 88, and then, once the trigger plate and

1 all of the trigger group components mounted on the plate are removed from the firearm,
2 removing the previously inaccessible pins 87, 53, and 81 to release the various trigger group
3 components with respect to each other.

4 When the firearm shown in the Remington reference is reassembled, all of the trigger
5 group components are first installed on trigger plate 88 and the assembled trigger plate is inserted
6 into receiver 75 and secured by pins 92 and 98. Therefore, nothing in the Remington reference
7 teaches or suggests element (d) of claim 9, namely, the step of securing a trigger group module in
8 the operating position through pin receptacle openings that supported either the first OEM trigger
9 group pin or the second OEM trigger group pin, that is, pin receptacle openings that supported
10 pins which retained trigger group components with respect to the firearm and to each other.
11 Stated another way, the only pins shown in the Remington reference for securing a trigger group
12 component housing to the firearm are pins 92 and 98, and neither of these pins secure any trigger
13 group component with respect to the firearm and with respect to another trigger group
14 component. This holds true regardless of how "OEM" is defined.

15 Because the Remington reference does not teach or suggest at least elements (a) and (d)
16 of claim 9, the Applicant respectfully submits that claim 9 is not anticipated by the Remington
17 reference and is entitled to allowance together with its dependent claims, claims 10 through 13.

18
19 III. CLAIMS 14-22 ARE NOT ANTICIPATED BY U.S. PATENT NO. 5,659,992

20 The Office Action rejected claims 14 through 22 under 35 U.S.C. §102(b) as being
21 anticipated by U.S. Patent No. 5,659,992 to Mistretta (the "Mistretta patent" or "Mistretta"). The
22 Applicant respectfully traverses these rejections.

Claims 14 through 18

Applicant's claim 14 is directed to trigger group module for a firearm where the firearm has a receiver that defines a trigger group receiving area between a first receiver side wall and a second receiver side wall. The trigger group module includes:

- (a) a module housing adapted to be inserted to an operating position in the trigger group receiving area, the module housing having a lower extremity that is located above a lowermost edge of the first receiver side wall and a lowermost edge of the second receiver side wall when the module housing is in the operating position;
- (b) a number of trigger group components mounted within the module housing; and
- (c) a first pin receiver positioned in the module housing so as to align with first pin receptacle openings of the firearm when the module housing is in the operating position, the first pin receptacle openings defining pin support surfaces formed in the first receiver side wall and the second receiver side wall.

It is important to note that element (a) of claim 14 requires that the module housing has a lower extremity that is located above a lowermost edge of the first receiver side wall and a lowermost edge of the second receiver side wall when the module housing is in the operating position. In contrast to this requirement, it is apparent from Figures 3, 5, and 8, that the component deemed the module housing in the Office Action, item 232 in Mistretta, together with the breech block assembly on which item 232 is mounted, both extend below the lowermost points of the upper receiver assembly 16 and lower receiver assembly 18. Thus, the Mistretta patent does not teach or suggest the requirement set out at element (a) of claim 14.

Furthermore, item 232 of Mistretta is clearly supported in the firearm by the pins 284 which are supported by pin openings 190 of breech block assembly 20 as best shown in Figure 3 of Mistretta. However, element (c) of claim 14 requires that a first pin receiver is positioned in the module housing so as to align with first pin receptacle openings of the firearm when the module housing is in the operating position, and that these first pin receptacle openings define pin support surfaces formed in the first receiver side wall and second receiver side wall.

1 Since the Office Action defines items 16 and 18 (shown best in Figures 2 and 3 of Mistretta) as
2 receivers, and since there are no pin receptacle openings in either of those items, let alone pin
3 receptacle openings with which a module housing pin receiver aligns, the Mistretta reference
4 cannot teach or suggest element (c) of Applicant's claim 14.

5 For these reasons, the Applicant respectfully submits that claim 14 is not anticipated by
6 the Mistretta reference and is entitled to allowance together with its dependent claims, claims 15
7 through 18.

8 Claims 19 through 22

9 Applicant's claim 19 is directed to a trigger group module for a firearm, and requires the
10 following elements:

- 11 (a) a module housing adapted to be inserted to an operating position in a firearm, the
12 firearm including a receiver that defines a trigger group receiving area between a
13 first receiver side wall and a second receiver side wall **and the firearm further**
14 **including a safety mechanism mounted directly on the receiver;**
- 15 (b) a trigger group component mounted on the module housing and adapted to
16 cooperate with the safety mechanism when the module housing is in the operating
17 position in the firearm and when the safety mechanism is mounted directly on the
18 receiver; and
- 19 (c) an arrangement for retaining the module housing in the operating position in the
20 firearm.

21 Note that element (b) of claim 19 requires a trigger group component mounted on the module
22 housing and adapted to cooperate with the safety mechanism when the module housing is in the
23 operating position in the firearm **and when the safety mechanism is mounted directly on the**
24 **receiver.** In contrast to this requirement, the safety mechanism shown in Mistretta comprises a
25 slidable trigger guard and C-shaped safety plate 304 having a part 308 that, when in a forward
26 position, cooperates with the trigger 262 to prevent the trigger from being pulled, that is, to

1 provide a safety feature. This safety plate 304 of Mistretta is mounted on raceway 176 of breech
2 block assembly 20 and is not mounted directly on either receiver 16 or 18.

3 Because the Mistretta patent does not teach or suggest element (b) of claim 19, the
4 Applicant submits that claim 19 is not anticipated by Mistretta, and is entitled to allowance
5 together with its dependent claims, claims 20 through 22.

6
7 IV. CONCLUSION

8 For all of the above reasons, the Applicant respectfully requests reconsideration and
9 allowance of claims 1 through 22.

10 If the Examiner should feel that any issue remains as to the allowability of these claims,
11 or that a further conference might expedite allowance of the claims, he is asked to telephone the
12 Applicant's attorney Russell D. Culbertson at the number listed below prior to issuing a further
13 action.

14 Respectfully submitted,

15 The Culbertson Group, P.C.

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19 Dated: 8 March 2005

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27
28 CERTIFICATE OF FACSIMILE

29 I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, (Fax
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